


*City of Alexandria, Virginia***MEMORANDUM**

DATE: MARCH 22, 2006

TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

FROM: JAMES K. HARTMANN, CITY MANAGER 

SUBJECT: SUBMISSION OF A GRANT APPLICATION TO THE DEPARTMENT OF CRIMINAL JUSTICE SERVICES TO CONTINUE COMMUNITY CORRECTIONS (LOCAL PROBATION) AND PRETRIAL SERVICES UNDER THE COMPREHENSIVE COMMUNITY CORRECTIONS ACT AND PRETRIAL SERVICES ACT FOR FY 2007

ISSUE: City Council consideration of a grant application to the Department of Criminal Justice Services in the amount of \$432,381 to continue community corrections (local probation) and pretrial services to serve the City of Alexandria under the Comprehensive Community Corrections and Pretrial Services Act (CCCA-PSA). Funding is for the period July 1, 2006 through June 30, 2007.

RECOMMENDATION: That City Council authorize the City Manager to:

- (1) Approve the grant application to the Virginia Department of Criminal Justice Services (DCJS) for continuation funding for the current biennial grant cycle (FY 2007 And 2008), in the amount of \$432,389, under the Comprehensive Community Corrections Act-Pretrial Services Act (CCCA-PSA). Last year's application covered funding for the FY 2005-2006 which was the last half of the biennial grant cycle (FY2004-2006).
- (2) Approve the continuation of six full-time positions to deliver the services to be provided under these grant programs. These grant funded positions would terminate upon the expiration of the grant and the individuals filling these positions will be notified of this condition of employment and sign an agreement of understanding with regard to this condition; and
- (3) Execute all documents that may be required.

BACKGROUND: The continuation grant will provide funds for the seventh year of activity for Alexandria Criminal Justice Services (ACJS), which combines the former Alexandria Community Corrections Program (local probation) and pretrial services. Public safety is the primary goal of the grant initiative. The secondary goals reflect three broad purposes:

- (1) effective sentencing;
- (2) effective use of public resources allocated for pretrial and correctional purposes; and
- (3) involvement of local communities in developing and implementing correctional programs for select offenders.

ACJS fulfills a statutory mandate by the Comprehensive Community Corrections Act to enhance public and community safety by providing supervision services through a variety of intermediate sanctions and punishments. The pretrial services of ACJS fulfill a statutory mandate by the Pretrial Services Act to provide defendant background information and recommendations that will assist judicial officers in determining or reconsidering bail decisions and conditions, and to provide supervised release while a defendant awaits trial. Local probation began in 1995; pretrial began in May 2001.

The CCCA-PSA also calls for the establishment of the Alexandria Community Criminal Justice Board. The ACCJB was established by City ordinance on September 16, 1995, to oversee the community corrections and pretrial services available to the judiciary and the criminal justice system for the local offender population. Alexandria's participation in the Peumansend Creek Regional Jail requires that it participate in the CCCA-PSA.

DISCUSSION:

Community Corrections (Local Probation)

The grant seeks to continue the constantly increasing local probation work of ACJS. Offenders may be placed on, or sentenced to, local probation supervision which usually includes specific court-ordered conditions. Probation services enable offenders to be functional members of the community by providing education, training, and treatment while making offenders accountable to the community for their criminal behavior. For many, it provides a successful intervention in a criminally-involved lifestyle behavior.

Local Probation Officers exercise their statutory authority as sworn officers of the court to seek a capias to re-arrest non-compliant probationers, to protect the public safety and to assist the criminal justice system. This is accomplished by supervising criminal offenders in the community, offering structured assistance and counseling while, at the same time, supervising the offenders' behavior and compliance with court-ordered conditions. The clients, most of whom have received suspended jail sentences, are *typically* court-ordered into local probation for six to twelve months. Participants must report to probation officers for monthly supervision meetings while performing court-ordered conditions such as substance abuse education/treatment, community service, anger management, batterers/domestic violence classes, shoplifting class, and mental health counseling.

Local Probation placements reached 416 last year. The projected total placements for FY 2007 are expected to be 420 or more. The rate of successful case closure is expected to be 70% or higher. Total new placements for service are projected as: 100 for anger management classes and approximately 5 to attend batterers/domestic violence classes. The average daily caseload for Local Probation is projected to be 285.

Pretrial Services

The grant will continue to fund pretrial services for its fifth year. The purpose is to assist judicial officers in the difficult task of deciding whether to release an accused on bail or to commit to jail, and in setting appropriate conditions of bail. Pretrial staff provide a report containing defendant information to assist in the process, specifically at initial appearance in General District Court and at subsequent bail hearings. The pretrial screening, interview and background investigation provide the criminal history and community stability of a defendant including indications of flight risk or potential criminal activity if released pending trial. The grant funds language interpretation assistance for the non-English speaking defendant.

Supervision services are targeted at defendants arrested and admitted to bail, but detained in jail in lieu of a secure bond. Pretrial supervision is intended to replace a secure bond, or reduce the amount of the cash bond, as a condition of bail, with release on recognizance and to the custody and supervision of the pretrial agency.

Projections for the sixth year of performance show significant growth. Total pretrial reports -- based on interview and investigation by pretrial staff -- are projected to be 1,042. Total supervision placements for the year are projected at 321. The successful close rate is expected to be 88%. The average daily caseload for Pretrial is expected to be 63.

The grant application which covered funding for the FY 2004-2006 biennial grant cycle had the endorsement of the Alexandria Community Criminal Justice Board.

FISCAL IMPACT: If approved as submitted, the City would receive from the State \$212,803 to continue local probation and \$219,578 for pretrial services, making a total of \$432,381 for operations for the period July 1, 2006 through June 30, 2007. Although there is no requirement for the City to provide a cash match for these funds an additional amount of approximately \$112,938 will be needed to sustain the program in FY 2007. This amount is included in the City Manager's FY 2007 budget proposal. The city funded \$91,030 in FY 2006. Since grant funding began, the amount of the grant has not kept up with the cost of the programs. The City is responsible for the normal administrative costs associated with the grant. These costs include financial and reporting oversight provided by the administering agency, as well as by the Office of Management and Budget and by the Finance Department. The Department of Criminal Justice Services will provide the service funding.

The grant funded positions would terminate upon the expiration of the grant, and the individuals who fill these positions have been notified of this condition of employment.

ATTACHMENTS: None.

STAFF:

Dana Lawhorne, Sheriff
Eric Eisienger, Budget/Management Analyst
Mondre' Kornegay, Sheriff's Office
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Lillian Brooks, Court Services Unit
David Ward, Sheriff's Office